

01-23-02

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	
Attorney Docket No. <u>5557.P007</u> <small>(maximum 12 characters)</small>	
First Named Inventor <u>James W. Moore</u>	
Title: <u>METHOD AND APPARATUS FOR RAPID IMAGE CAPTURE IN AN IMAGE SYSTEM</u>	
Express Mail Label No. <u>EL862050919US</u>	

10/05/97 U.S. PTO
10/05/26/78
01/18/02

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant Claims Small Entity Status. (37 CFR 1.27)
3. Specification (Total Pages 25)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawings(s) (35 USC 113) (Total Sheets 6)
5. Oath or Declaration (Total Pages)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. Application Data Sheet. (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10052678 - 01/18/02

9. _____ **Assignment Papers (cover sheet & documents(s))**
10. _____ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
_____ b. Power of Attorney
11. _____ English Translation Document (if applicable)
12. _____ a. Information Disclosure Statement (IDS)/PTO-1449
_____ b. Copies of IDS Citations
13. _____ **Preliminary Amendment**
14. X **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. _____ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. X **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. X Other: Certificate of mailing with copy of return postcard signed by attorney

18A. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: _____ Examiner _____ Group Art Unit _____
(which is a continuation/divisional/CIP of prior application no. _____,
which is a continuation/divisional/CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

Customer Number or Bar Code Label
or
 Correspondence Address Below (Insert Customer No. or Attach Bar Code Label here)

NAME Lance A. Termes

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country: U.S.A. TELEPHONE (206) 292-8600 FAX (206) 292-8606

ANSWER The answer is 1000. The first two digits of the product are 10.

Signature: John A. Morris Date: 01-18-02

...and the world will be at peace.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

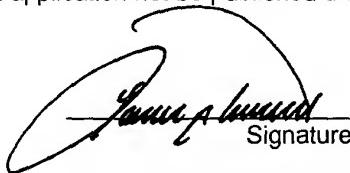
First Named Inventor James W. Moore
Title METHOD AND APPARATUS FOR RAPID IMAGE CAPTURE IN AN IMAGE SYSTEM

Attorney Docket No. 5557.P007

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

01-18-02

Date



Signature

Lance A. Termes

Typed or Printed Name

43,184

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

2025 RELEASE UNDER E.O. 14176

FEE TRANSMITTAL FOR FY 2002TOTAL AMOUNT OF PAYMENT (\$) \$884.00

Complete if Known:

Application No. Not yet assigned
 Filing Date Herewith
 First Named Inventor James W. Moore
 Group Art Unit Not yet assigned
 Examiner Name Not yet assigned
 Attorney Docket No. 5557.P007

METHOD OF PAYMENT (check one)

- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name _____

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check
 Money Order
 Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity			
Fee	Fee	Fee	Fee	Fee Paid
Code	(\$)	Code	(\$)	
101	740	201	370	Utility application filing fee
106	330	206	165	Design application filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional application filing fee

SUBTOTAL (1) \$ 740.00**2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims <u>28</u>	<u>- 20** = 8</u>	<u>X 18.00</u>	<u>= 144.00</u>
Independent Claims <u>3</u>	<u>- 3** = 0</u>	<u>X 84.00</u>	<u>= 0.00</u>
Multiple Dependent			

**Or number previously paid, if greater; For Reissues, see below.

Large Entity

Large Entity	Small Entity			
Fee	Fee			
Code	(\$)	Code	(\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissu independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 144.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		
Fee	Fee	Fee	Fee	
Code	(\$)	Cod	(\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for ex parte reexamination
099	8,800	099	8,800	Request for inter parties reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	400	216	200	Extension for reply within second month
117	920	217	460	Extension for reply within third month
118	1,440	218	720	Extension for reply within fourth month
128	1,960	228	980	Extension for reply within fifth month
119	320	219	160	Notice of Appeal
120	320	220	160	Filing a brief in support of an appeal
121	280	221	140	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive – unavoidable
141	1,280	241	640	Petition to revive - unintentional
142	1,280	242	640	Utility issue fee (or reissue)
143	460	243	230	Design issue fee
144	620	244	310	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Processing fee under 37 CFR 1.17(q)
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))
148	110	248	55	Statutory Disclaimer
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))
179	740	279	370	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application
195	300	195	300	Publication fee for early, voluntary, or normal pub.
196	300	196	300	Publication fee for republication
194	130	194	130	Request for voluntary publication or republication
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority

Other fee (specify) _____

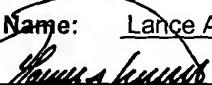
Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Lance A. Termes

Signature:  Date: 01-18-02

Reg. Number: 43,184 Telephone Number: 206-292-8600

Our Reference: 005557.P007

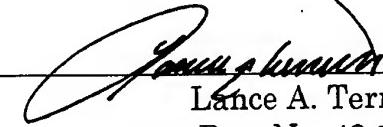
Patent

METHOD AND APPARATUS FOR RAPID IMAGE CAPTURE IN AN IMAGE SYSTEM

Inventors: James W. Moore; Danny S. Barnes; and Matthew E. Allen

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP


Lance A. Termes
Reg. No. 43,184

"Express Mail" mailing label number: EL862050919US

Date of Deposit: January 18, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Sharon Farnus

(Sharon Farnus) 1/18/02

(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No.: New Application Filing/Issue Date: Herewith
Client: Microscan Systems Inc.
Title: METHOD AND APPARATUS FOR RAPID IMAGE CAPTURE IN AN IMAGE SYSTEM

BSTZ File No.: 5557.P007 Atty/Secty Initials: LAT:sef
Date Mailed: 1-18-02 Docket Due Date: ***

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- Amendment/Response (pgs.) Express Mail EL862050919US Check No. 1958
 Appeal Brief (pgs.) (in triplicate) Month(s) Extension of Time Amt \$884.00
 Application - Utility (25 pgs., with cover and abstract) Information Disclosure
 Application - Rule 1.53(b) Continuation (pgs.) Statement & PTO-1449 (pgs.) Check No. _____
 Application - Rule 1.53(b) Divisional (pgs.) Issue Fee Transmittal Amt: _____
 Application - Rule 1.53(b) CIP (pgs.) Notice of Appeal
 Application - Rule 1.53(d) CPA Transmittal (pgs.) Petition for Extension of Time
 Application - Design (pgs.) Petition for _____
 Application - PCT (pgs.) Postcard
 Application - Provisional (pgs.) Power of Attorney (pgs.)
 Assignment and Cover Sheet Preliminary Amendment (pgs.)
 Certificate of Mailing Reply Brief (pgs.)
 Declaration & POA (pgs.) Response to Notice of Missing Parts
 Disclosure Docs & Orig &
 Copy of Inventor's Signed Letter (pgs.) Small Entity Declaration for Indep. Inventor/Small Business
 Drawings: 6 # of sheets includes 15 figures Transmittal Letter, in duplicate
 Other *Certificate of mailing with copy of return postcard signed by attorney Fee Transmittal, in duplicate
*Request for non-publication in dupl.